



FROM COUNSEL

A Preventive Law Service of The Office of The Judge Advocate General
Keeping You Informed On Personal Legal Affairs

Identity Theft

IDENTIFICATION CARD

Name _____

Address _____

City, State, Zip _____

Phone _____

Social Security # _____

In case of emergency please notify
Name _____ Phone _____

Identity theft:

The act of stealing your good name to commit fraud.

Here's how to guard against it:

Before revealing personal identifying information, find out how it will be used and if it will be shared with others. Ask if you have a choice about the use of your information: can you choose to have it kept confidential?

Pay attention to your billing cycles. Follow up with creditors if bills do not arrive on time.

Give your Social Security number only when absolutely necessary. Ask to use other types of identifiers when possible.

Minimize the identification information and the number of cards you carry to what you actually need. If your I.D. or credit cards are lost or stolen, notify the creditors by phone immediately, and call the credit bureaus to ask that a "fraud alert" be placed in your file.

Oder a copy of your credit report from the three credit reporting agencies every year. Make sure it's accurate and includes only those activities you've authorized.

Keeep items with personal information in a safe place; tear them up when you don't need them anymore. Make sure charge receipts, copies of credit applications, insurance forms, bank checks and statements, expired charge cards, and credit offers you get in the mail are disposed of appropriately.

For More Information

You can file a complaint with the FTC by contacting the Consumer Response Center by phone: toll free 877-FTC-HELP (382-4357); TDD: 202-326-2502; by mail: Consumer Response Center, Federal Trade Commission, 600 Pennsylvania Ave, NW, Washington, DC 20580; or through the Internet, using the online complaint form at: <http://www.ftc.gov/ftc/complaint.htm>. Although the Commission cannot resolve individual problems for consumers, it can act against a company if it sees a pattern of possible law violations. The FTC publishes free brochures on many consumer issues. For a complete list of available publications visit the FTC site at <http://www.ftc.gov/ftc/consumer.htm>, or write for **Best Sellers**, Consumer Response Center, Federal Trade Commission, 600 Pennsylvania Ave, NW, Washington, D.C. 20580; or call toll free (877) FTC-HELP (382-4357), TDD (202) 326-2502.

FROM COUNSEL is one of a series of informative handouts containing general information on topics that legal assistance attorneys frequently advise on. Information provided is general in nature and does not constitute legal advice. Consult an attorney for specific legal advice for your particular situation. FROM COUNSEL is distributed to persons eligible for legal assistance under 10 USC 1044.

Action Steps for Identity Theft Victims

If someone has stolen your identity, the Federal Trade Commission (FTC) recommends that you take three actions immediately.

- First, **contact the fraud departments of each of the three major credit bureaus.** Tell them to flag your file with a **Fraud Alert/Victim Impact**, a statement that creditors should call you for permission before they open any new accounts in your name.

Credit Agency	Report fraud	Order credit report	Web site
Equifax	(800) 525-6285	(800) 685-1111	www.equifax.com
Experian	(888) 397-3742 option 2	(888) 397-3742 option 3	http://www.experian.com/consumer/index.html
Trans Union	(800) 680-7289	(800) 916-8800	www.tuc.com

The FTC suggests it is a good idea to order a copy of your credit report from the three credit bureaus every year to check on their accuracy and whether they include only those debts and loans you've incurred. This could be very important if you're considering a major purchase, such as a house or a car. A credit bureau may charge you up to \$8 for a copy of your report.

- Second, **contact the creditors for any accounts that have been tampered with or opened fraudulently.** Ask to speak with someone in the security or fraud department, and follow up in writing. Following up with a letter is one of the procedures spelled out in the Fair Credit Billing Act for resolving errors on credit billing statements, including charges or electronic fund transfers that you have not made.
- Third, **file a police report** with local law enforcement. Keep a copy in case your creditors need proof of the crime.

Additional actions --

- Contact all creditors, by phone and in writing, to inform them of the problem
- Call your nearest Postal Inspection Service office and your local police
- Contact the FTC ID Theft Division, 1-877-438-4338 or through the Internet, using the FTC online <http://www.ftc.gov/ftc/complaint.htm> complaint form to report the problem or their ID Theft site at: <http://www.consumer.gov/idtheft>. The FTC is the federal clearinghouse for consumer complaints about identity theft. The information you provide can help the FTC and other law enforcement agencies track, investigate, and prosecute identity thieves.
- Alert your bank to flag your accounts and to contact you to confirm unusual activity
- Request a change of PIN and new password on existing credit cards/ATM or debit cards if you believe your existing accounts have been wrongfully accessed
- Keep a log of all contacts and make copies of all documents
- Contact the Social Security Administration's Fraud Hotline, 1-800-269-0271
- Contact the state office of the Department of Motor Vehicles to see if another license was issued in your name. If so, request a new license number and fill out the DMV's complaint form to begin the fraud investigation process

Stay alert to new instances of identity theft. Notify the company or creditor that's involved immediately. Follow up in writing. You also may want to contact the The Privacy Rights Clearinghouse, which provides information on how to network with other identity theft victims. Call (619) 298-3396 or visit www.privacyrights.org.

FROM COUNSEL is distributed by the U.S. Army Garrison -Miami, Legal Assistance Office, located at 8300 NW 33rd Street, Miami, Florida, Suite 110, Room 33. You may call us for an appointment at 305-437-1307. Check out our Legal Services web site at www.jagcnet.army.mil/Vegal for other helpful information on similar personal legal affairs topics.